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July 24, 2006

**BY E-FILE AND HAND DELIVERY**

The Honorable Joseph J. Farnan, Jr.  
United States District Court  
District of Delaware  
844 King Street  
Wilmington, DE 19801

Re: *LG. Philips LCD Co., Ltd. v. Tatung Company et. al.,*  
C.A. No. 05-292 (JJF)

Dear Judge Farnan:

We write to request a prayer conference to discuss the parties' proposed jury instructions and proposed verdict forms. In view of the fact that trial will conclude in the next few days, Defendants propose that the conference take place after the jury is dismissed for the day on Monday, July 24, 2006.

At the prayer conference, Defendants will ask the Court to instruct the jury that it may take an adverse inference from LPL's failure to call certain employees (Young Woo Cho, Joo Sup Kim and John Kim) to testify. For example, LPL's expert, Arthur Cobb, testified that he relied upon opinions John Kim provided him regarding manufacturing yield increases relating to the '002 patent technology. Trial Volume 5 at 1032-34. Mr. Kim was present at the trial until Friday, when he was barred from the courtroom for attempting to bring in a camera and audio recording device. *See* Trial Volume 5 at 1113. However, despite Mr. Kim's presence and availability to testify before the jury, LPL chose not to call him to testify. Defendants will therefore propose the following jury instruction:

If a party fails to call a person as a witness who has knowledge about the facts in issue, and who is reasonably available to the party, and who is not equally available to the other party, then you may infer that the testimony of that person is unfavorable to the party who could have called the witness and did not.

3 Fed. Jury Prac. & Instr. § 104.25 (5th ed.).

The Honorable Joseph J. Farnan, Jr.

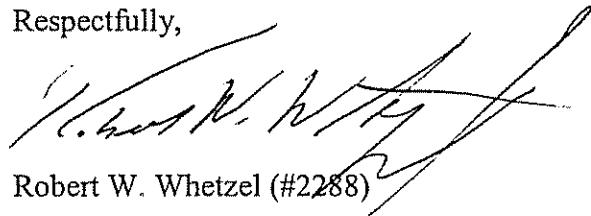
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With respect to LPL's letter to the Court dated July 21, 2006, Defendants are willing to withdraw their proposed jury instruction 6.1 and question 19 on their proposed verdict form and have the Court adjudicate this issue.

If Your Honor has any questions regarding this matter, undersigned counsel remain available at the Court's convenience.

Respectfully,



Robert W. Whetzel (#2288)

RWW/l11

cc: Richard D. Kirk, Esquire w/ enclosure (By Electronic Filing and Hand Delivery)  
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